



COMMONWEALTH OF MASSACHUSETTS
**Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

**MINUTES
of
BOARD MEETING**

Held on
January 9, 2008

Meeting Location: Weston & Sampson Engineers, Inc.
Five Centennial Drive
Peabody, Mass.

Prepared by: A. Fierce

[Approved: Feb. 12, 2008]

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 4:35 p.m. The other Board members present were Gail Batchelder, Deborah Farnsworth, Kirk Franklin, Christophe Henry, Gretchen Latowsky, Robert Luhrs, Kelley Race, and Debra Stake. Board members Paul Mullen and Debbie Phillips were absent. The LSP Board staff members present were Allan Fierce, Lynn Read, Brian Quinlan, Ron Viola, and Terry Wood.
2. **Announcements:** None.
3. **Agenda:** The Board members agreed to follow the draft Agenda.
4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on November 29, 2007. **A motion was made and seconded to approve the minutes as drafted. The motion was approved unanimously.**
5. **Report from Quasi-Judicial Sessions – Final Disciplinary Actions Taken:** Ms. Commerford announced that there were no actions to report at this month's meeting.
6. **Decisions Regarding License Applicants:** The staff presented the following Application Docket:

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Docket No. 1: The applicants' names, company names, application numbers, and Application Review Panel recommendations were read into the record:

		<u>App. No.</u>	<u>ARP</u>	<u>Rec.</u>
Andrew T. Donoghue	CMG Environmental Inc.	#7326	207	A
Leni-Sarah Boucher	Sovereign Consulting, Inc.	#8303	207	A

Mr. Henry was recused and left the room.

A motion was made and seconded that the Board accept the recommendations from Application Review Panel #207, i.e., that the applications submitted by Mr. Donoghue and Ms. Boucher be accepted and that they be found eligible to take the exam. The motion was approved unanimously.

Ms. Henry returned and rejoined the meeting.

7. **License Renewal Applications:** The staff presented the following License Renewal Dockets:

Renewal Docket #1

Renewal Date: Jan. 30, 2008

Have met all requirements for renewal.

New Renewal Date: January 30, 2011

1.	John E. Adams	#2400
2.	Todd S. Alving	#4026
3.	Anthony F. Andronico	#6105
4.	Robert J. Anksttitus	#9556
5.	Robert C. Atwood	#1481
6.	David G. Austin	#2062
7.	Marcia Berger	#4667
8.	Elissa Brown	#5371
9.	Ronald F. Bukoski	#5248
10.	P. Douglas Burgess	#2841
11.	Robert S. Capaccio	#9816
12.	Janine Commerford	#1900
13.	Michael F. Conway	#1148
14.	Janina Curtis	#1359
15.	Robert A. Dangel	#7798
16.	Allen F. Davis	#9093
17.	Thomas J. Dolce	#9354
18.	Ambrose J. Donovan	#4755
19.	Gary S. Ezovski	#6088
20.	Sami Fam	#9095
21.	Cosmo D. Gallinaro	#5222

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22.	John H. Guswa	#4217
23.	Kim M. Henry	#7122
24.	Bruce A. Hoskins	#7109
25.	Paul Hughes	#5438
26.	J. Andrew Irwin	#9997
27.	Daniel G. Jaffe	#2347
28.	Joseph M. Jammallo	#2259
29.	Timothy W. Kemper	#9070
30.	David J. Lang	#7877
31.	Christine R. LeBlanc	#4669
32.	James A. Luker, Jr.	#6522
33.	Thomas F. Maguire	#2025
34.	William J. Mallio	#4966
35.	Kenneth T. Menzies	#6542
36.	William H. Mitchell, Jr.	#1965
37.	Brian D. Moore	#8435
38.	Charles F. Myette	#3264
39.	Peter E. Nangeroni	#4620
40.	James B. O'Brien	#9092
41.	Robert W. Pease, Jr.	#4051
42.	Debra J. Phillips	#8223
43.	Donald W. Podsen	#4492
44.	Charles D. Race	#8523
45.	Robert P. Rein	#5019
46.	Paul F. Reiter	#5767
47.	Ronald B. Richards	#4488
48.	Nancy Roberts	#6713
49.	Steven W. Rumba	#9882
50.	Michael M. Shaw	#8926
51.	Steven B. Shope	#6543
52.	Thomas P. Simmons	#1698
53.	William A. Simmons	#1847
54.	Dana A. Simpson	#3497
55.	Kenneth J. Snow	#3266
56.	John J. Spirito	#8403
57.	Debra A. Stake	#6597
58.	Richard P. Standish	#2242
59.	Robert A. Stewart	#3199
60.	Timothy S. Stone	#8456
61.	Kleo Taliadouros	#8501
62.	Charles E. Teale	#8260
63.	Ralph J. Tella	#7473
64.	John a. Thompson	#3989
65.	Alan E. Weiss	#6442

Renewal Docket #2		
Request for a 90-day Extension		
Renewal Date: Jan. 30, 2008		
Have requested, and met all requirements for a 90-day extension.		
Extended Renewal Date: April 29, 2008		
1.	Thomas P. Army	#3050
2.	Robert P. Blauvelt	#5771
3.	Robert N. Block	#6579
4.	Robert S. Brackett	#8655
5.	Michael P. Clark	#9055
6.	Joseph V. Polsinello	#7450
7.	Richard G. Stromberg	#1008
8.	Anthony J. Tawa, Jr.	#8097
9.	Keith W. Veren	#7343

A motion was made and seconded to renew to licenses of the LSPs on Renewal Docket #1 for a three-year period ending on January 30, 2011, and to grant a 90-day extension to the LSPs on Renewal Docket #2. The motion was approved unanimously.

8. Other Licensing-Related Matters:

A. New Panel Assignments and Scheduling. Mr. Quinlan sought and obtained volunteers for Application Review Panel #209 (Ms. Commerford, Mr. Henry, and Ms. Stake).

B. Appeals Status Report. Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.

C. Inactive Status Report. The staff reported that no LSPs have been placed on Inactive Status since the previous meeting. Also, none of the seven LSPs on Inactive Status have resumed Active status since the previous meeting.

D. Total Number of Active LSPs. Mr. Fierce reported that the total number of Active LSPs as of the date of this meeting was 564.

9. Examinations:

A. New Licensees. Mr. Fierce reported that the following approved applicants passed the licensing exam administered on Dec. 18, 2007, and are now licensees:

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<u>Name</u>	<u>Licensure Date</u>	<u>Lic. No.</u>
Derek Tomka	12/20/07	#3972
Stephen Vetere	12/20/07	#3507
Barbara Weir	12/20/07	#3331

B. Next LSP Exam. The staff reported that the next exam is scheduled for the week of February 12, 2008.

C. LSP Exam Update Project – Status Report. Ms. Commerford reported that the project has been completed and the Board used the updated versions when administering exams on December 18.

10. Continuing Education Committee Report:

A. Course and Conference Approval Requests. Mr. Henry reported that the Committee had met earlier in the day and had no course or conference recommendations to present to the full Board.

B. Other Business – Waiver Request from Fred Taylor. Mr. Henry reported that the Committee had reviewed a request for a waiver submitted by LSP Fred Taylor. Mr. Taylor had received a 90-day extension of the expiration of his license from October 30, 2007, to January 28, 2008. Although he needed only 1 DEP Course credit to renew his license, no DEP Courses have been (or will be) offered during his 90-day extension period. In his request, Mr. Taylor suggested that the Board waive the requirement that he obtain this one additional DEP Course credit. In support of his request, he set forth the following considerations and circumstances:

1. He was registered for a 3-credit DEP Course at the UMass conference last October, but his flight was cancelled and by the time he finally arrived he had missed this course.
2. He has been chairman of the LSPA's Technical Practices Committee for the last 18 months and will continue to be for at least 6 more months. He asserted that he has also written and assisted in publishing numerous LSPA articles, and he also spearheaded the technical review of the Q&A recently published by MassDEP.
3. He actively participated in the preparation and teaching of the Conceptual Site Model course given by the LSPA in 2006.
4. He helped organize the recent Vapor Intrusion course.
5. While needing only a total of 48 credits, he has earned a total of 59 credits during this renewal period.

Mr. Henry reported that Mr. Stimpson had confirmed that Mr. Taylor had indeed done the LSPA activities cited in his request.

He said that the Committee had discussed and then concluded that sufficient good cause existed under 309 CMR 2.12 to grant Mr. Taylor's request. However, the

members of the Committee concurred that it would not be appropriate to waive Mr. Taylor's obligation to obtain 12 DEP Course credits to renew his license. In such circumstances, the Committee has consistently recommended, and the Board has concurred, to allow the LSP additional time to obtain the credits needed (while not extending the LSP's next renewal date).

The Committee also discussed the fact that Mr. Taylor would likely earn more than one credit by taking the next DEP Course. Under the Board's 90-day extension rules at 309 CMR 3.06(5)(e), "[n]o portion of the credits for a continuing education course required to fulfill the requirements of one renewal period may be carried over into the subsequent renewal period." In the past, the Committee has recommended that this "no carryover" rule be applied to those who, through waivers, receive short extensions beyond their 90-day extension periods.

At the conclusion of discussion, Mr. Henry said, the Committee had voted unanimously to recommend to the full Board (a) that it grant Mr. Taylor's waiver request under 309 CMR 2.12 by giving him an additional 90-day extension and (b) that it make this extension subject to the normal 90-day extension rules (i.e., no change in next renewal date, and no carryover of unused credits to next renewal period).

A motion was made and seconded to accept the Committee's recommendation. The motion was approved unanimously.

11. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the Professional Conduct Committee meeting held earlier in the day, the Board agreed to forego a Committee report. Mr. Fierce stated that at next month's Committee meeting, one agenda item should be to formulate a recommendation to the Board regarding the how the next adjudicatory proceeding should be conducted.
12. **Personnel, Budget, and Fees:** Neither the staff nor Ms. Commerford had anything new to report.
13. **Status of Board Member Replacements by Governor:** Ms. Commerford reported that one of the candidates recommended to the Governor has been contacted and asked to fill out some paper work to initiate the background check.
14. **Next Article for LSPA News:** The next deadline for the submission of articles is January 25, 2008. The Board suggested that the staff write an article containing a "who's who" on the LSP Board staff, with short bios of each staff member.
15. **Scheduling of Next Meeting:** The Board agreed to hold its next meeting in the afternoon of Tuesday, February 12, 2008, at MassDEP's Central Regional Office in Worcester. The following meeting will be held in the afternoon of Thursday, March 27, 2008, at Ms. Latowsky's office (JSI Center for Environmental Health Studies) in Boston.

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16. **Adjournment:** The meeting was adjourned at approximately 4:55 p.m.